

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

IN RE:

RICHARD L JOHNSON,

Debtor.

In Proceedings  
under Chapter 13

Bk. No.: 18-40432

---

**TRUSTEE'S MOTION TO DETERMINE FINAL CURE AND PAYMENT  
PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 3002.1(h)**

COMES NOW, RUSSELL C. SIMON, Chapter 13 Trustee, pursuant to Federal Rule of Bankruptcy Procedure 3002.1(h), and for his Motion to Determine Final Cure and Payment, states as follows:

1. The Debtor filed a voluntary petition for relief under chapter 13 of the Bankruptcy Code on May 15, 2018; Debtor's Schedules, Statement of Financial Affairs and Chapter 13 Plan were filed on the same day.
2. Debtor scheduled Vanderbilt Mortgage and Finance Inc. ("Creditor") on Schedule D, as holder of a claim secured by his residence, real property commonly known as 52 Cater St., Eldorado, IL 62930.
3. Debtor's confirmed Fourth Amended Plan provides for this mortgage to be paid by the Trustee from July 1, 2018 through the duration of the plan. The plan provided for a duration of 48 months; thus, plan payments were scheduled to last through June 2022.
4. The Creditor filed a proof of claim on May 21, 2018 (Ct. Claim #1).
5. Based upon the foregoing, the Trustee has made the following ongoing mortgage payments:

- \$573.86 (pursuant to Proof of Claim #1) July 2018 (1 payment);
- \$570.47 (pursuant to Notice of Payment Change filed 05/21/2018) August 2018 (1 payment);
- \$569.51 (pursuant to Notice of Payment Change filed 07/18/2018) September 2018 – June 2022 (46 payments).

**TOTAL AMOUNT DUE THROUGH JUUNE 2022: \$27,341.79**

6. On May 24, 2022, Creditor filed a response to the Trustee's Notice of Final Cure asserting that the Debtor owes post-petition payments from September 1, 2021 to the present.
7. The Trustee was the disbursing agent for the payment for which the Creditor claims the Debtor is due. The Trustee's records indicate payments were properly disbursed to Creditor pursuant to the plan.
8. The last disbursement to Creditor was made on May 12, 2022 in the amount of \$569.51.
9. Accordingly, the Trustee asserts that when payments are properly applied to Debtor's account, the Debtor will be current as required by the terms of his plan.

Wherefore, the Trustee respectfully requests an Order deeming the Debtor is current on his mortgage through June, 2022, and for all other relief this Court deems just and equitable.

Dated: July 30 2020

Respectfully submitted,

/s/ Russell C. Simon  
RUSSELL C. SIMON  
Chapter 13 Trustee  
24 Bronze Pointe  
Swansea, IL 62226  
Telephone: (618) 277-0086  
Telecopier: (618) 234-0124

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the above and foregoing documentation has been served to all interested parties included on the Creditor's Matrix, Debtor, and Debtor's counsel, via electronic mail or first-class mail, postage pre-paid, on this the 27th day of May, 2022.

Richard Johnson  
52 Carter St  
Eldorado, IL 62930

Brad Olson  
101 E DeYoung  
Marion, IL 62959

Vanderbilt Mortgage and Finance Inc  
P.O. Box 9800  
Maryville, TN 37802

Jessica Leach  
500 Alcoa Trail  
Maryville, TN 37804

/s/Carman